

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In RE:

CARRIE DAWSON
EDWARD DAWSON,
Debtors.

Chapter 13
Case No: 08-30286

JUSTIN ZAVERL
KIMBERLY ZAVERL,
Plaintiffs,

v.

Case No: 08-2351

CARRIE DAWSON
EDWARD DAWSON,
Defendants.

ANSWER

The debtors, Carrie and Edward Dawson, by their attorneys, Flanner, Stack, Fahl & Bagley, LLP, hereby answer the plaintiff's complaint, in numbered paragraphs corresponding to those in the Complaint, as follows:

1. Admit
2. Admit
3. Admit
4. Deny and allege that Bailie Homes, LLC, a Wisconsin Limited Liability Company owned by the Defendants entered into a construction contract with the Plaintiffs.
5. Defendants lack sufficient actual knowledge to either admit or deny, and therefore Deny

6. Admit that from time to time Plaintiffs or their agents made disbursements to the defendant's company, Baile Homes, LLC, but Deny that payments were made personally to the defendants. Further, defendants allege that the remainder of the paragraph contains a legal conclusion for which no answer is required, but to the extent that an answer is required, Deny.
7. Calls for a legal conclusion for which no response is required, but to the extent an answer is required, Deny
8. Calls for a legal conclusion for which no response is required, but to the extent that an answer is required, Deny
9. Calls for a legal conclusion for which no response is required, but to the extent that an answer is required, Deny
10. Calls for a legal conclusion for which no response is required, but to the extent that an answer is required, Deny
11. Admit
12. Calls for a legal conclusion for which no response is required, but to the extent that an answer is required, Deny
13. Based on garnishments taken from the debtors prior to filing, debtors are unable to determine the remaining balance under the judgment and therefore Deny and demand strict proof. As for the allegation that the debt is excepted from Discharge pursuant to 11 USC 523(a)(4), debtors state first that this is legal conclusion to which no answer is requires, but to the extent that an Answer is required, Deny. Debtors further allege that even if some of the judgment is non-dischargeable under 11 U.S.C. 523(a)(4), only a portion would qualify for such treatment and that the majority of the judgment fall outside the scope of that section.

WHEREFORE, Defendants Pray for a hearing on this matter and a determination by the Court as to the appropriate portions of the judgment to be excepted from Discharge under 11 U.S.C. 523(a)(4).

Dated at Brookfield, Wisconsin this 27th day of January, 2009.

FLANNER, STACK, FAHL & BAGLEY, LLP.
Attorneys for the Debtors, Carrie and Edward Dawson

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